

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Zicker *et al*
Application No: 09/978,127
Filed: October 16, 2001
Group Art Unit: 1614
Confirmation No: 3786
Examiner: Cybille Delacroix Muirhel
Date: January 23, 2006
Attorney Reference: 6493-02
Title: COMPOSITION AND METHOD

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TRANSMITTAL LETTER

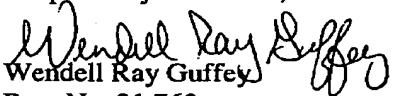
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are (1) a Terminal Disclaimer submitted in response to the Office Action mailed Jan 11, 2006, (2) a copy of the Notice of Recordation of Assignment Document for U.S. Serial No. 09/978,127, and (3) a copy of the Notice of Recordation of Assignment Document for U.S. Serial No. 09/978,132.

Please charge the fee of \$130 required by 37 C.F.R. §1.20(d) for the Terminal Disclaimer Deposit Account Number 502957. Please charge any fees required or credit any excess fees in connection with this Terminal Disclaimer or any fees required or to be credited during the entire pendency of this Application to Deposit Account No. 502957.

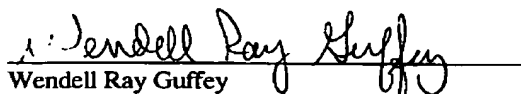
Respectfully submitted,


Wendell Ray Guffey
Reg. No. 31,762
Phone: 785-286-8285
Email: ray_guffey@hillspet.com

Colgate-Palmolive Company
Capitol Tower Building
400 SW 8th Avenue
Topeka, Kansas 66603

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 23, 2006 at facsimile number 571-273-8300.


Wendell Ray Guffey

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TERMINAL DISCLAIMER UNDER 37 CFR 1.321(b)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Wendell Ray Guffey, attorney for assignee Colgate-Palmolive Company, am empowered to sign terminal disclaimers and/or authorized to act on behalf of the assignee. I represent that Colgate-Palmolive Company is the assignee and the exclusive owner of the entire right, title, and interest of, and to patent application Serial No. 09/978,127 filed on October 16, 2001, as indicated by a copy of the attached assignment (reel 012457, frame 0010, recorded on 01/08/2002) (herein "Current Application").

Colgate-Palmolive Company hereby disclaims, except as provided for herein, the terminal part of the statutory term of any patent granted from the Current Application that would extend beyond the expiration date of the full statutory term of any patent granted from pending reference application Serial No. 09/978,132 (herein "Reference Application"), filed on 10/16/2001, also assigned to and owned in its entirety by Colgate-Palmolive Company (see copy of attached assignment, reel 012457, frames 0030), as such term is defined in 35 U.S.C. 154 and 173 and as the term of any patent granted from the Reference Application may be shortened by any terminal disclaimer filed prior to the grant of any patent from the Reference Application.

Colgate-Palmolive Company hereby agrees that any patent granted from the Current Application shall be enforceable only for and during such period that the legal title to the patent shall be the same as the legal title to any patent granted from the Reference

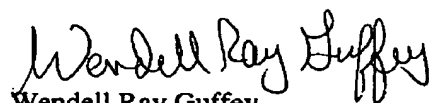
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Application. Colgate-Palmolive Company also agrees that this agreement runs with any patent granted from the Current Application and is binding upon the grantee and its successors and assigns.

Colgate-Palmolive Company does not disclaim any terminal part of any patent granted from the Current Application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted from the Reference Application, as the term of any patent granted from the Reference Application may be shortened by any terminal disclaimer filed prior to the grant of any patent from the Reference Application, in the event the patent granted from the Reference Application expires for failure to pay a maintenance fee, is held unenforceable by a court of competent jurisdiction, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole, is terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The evidentiary documents accompanying or referred to in this Terminal Disclaimer have been reviewed by the undersigned and the undersigned certifies that, to the best of the undersigned's knowledge and belief, title to the Current Application and to the Reference Application are in the assignee.

Respectfully submitted,



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